



PTO/SB/21 (09-06)

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TRANSMITTAL  
FORM

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Total Number of Pages in This Submission

	Application Number	10/613,617	
	Filing Date	JULY 3, 2003	
	First Named Inventor	V. FRANK ASARO	
	Art Unit	2614	
	Examiner Name	TUAN DUC NGUYEN	
Total Number of Pages in This Submission	3	Attorney Docket Number	040416

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	CHARMASSON, BUCHACA & LEACH, LLP		
Signature			
Printed name	JOHN D. BUCHACA		
Date	SEPTEMBER 29, 2006	Reg. No.	37,289

## CERTIFICATE OF TRANSMISSION/MAILING

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Typed or printed name	JOHN D. BUCHACA	Date	SEPTEMBER 29, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

WASHINGTON, D.C.

In re application of:

V. FRANK ASARO

Serial No: 10/613,617

Filed: July 3, 2003

For: SOUND BAFFLE FOR  
PORTABLE TELEPHONE  
HANDSET

Examiner: Tuan Duc Nguyen

Art Unit: 2614

**RESPONSE WITH ELECTION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed **August 29, 2006**, applicant hereby elects, without traverse, Species number 1 based on Claims 1-5. Applicant also wishes to withdraw from consideration at this time Claims 6-16, as they are directed toward a non-elected species.

September 29, 2006

Respectfully Submitted,

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040416

**RESPONSE WITH ELECTION**  
**Serial No. 10/613,617**

040416

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 29, 2006, by John D. Buchaca, Reg. No. 37,289.

Signature:



Date: 9-29-2006